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## CHAPTER 10

## CONTINUOUS EVALUATION

## 10-1 POLICY

1. A personnel security determination requires an examination of a sufficient amount of information regarding an individual to determine whether the individual is an acceptable security risk. Obviously it is not possible to establish with certainty if an individual will remain eligible for access to classified information. In order to ensure that everyone who has access to classified information remains eligible for a clearance, continuous assessment and evaluation is required.

2. Commanding officers are responsible for establishing and administering a program for continuous evaluation. The continuous evaluation program will rely on all personnel within the command to report questionable or unfavorable information which may be relevant to a security clearance determination.

a. Individuals must be encouraged to report to their supervisor or appropriate security official and seek assistance for any incident or situation which could affect their continued eligibility for access to classified information. Individuals must be familiar with pertinent security regulations and must be aware of the standards of conduct required of individuals holding positions of trust. The ultimate responsibility for maintaining eligibility to access classified information rests with the individual. Reporting requirements for individuals with SCI access authorization are contained in reference (c).

b. Co-workers have an obligation to advise their supervisor or appropriate security official when they become aware of information with potential security clearance significance.

c. Supervisors and managers play a critical role in assuring the success of the continuous evaluation program. The goal is early detection of an individual's problems. Supervisors are in a unique position to recognize problems early and must react appropriately to ensure balance is maintained regarding the individual's needs and national security requirements.

3. Keys to an active continuous evaluation program are security education and positive reinforcement of reporting requirements in the form of management support, confidentiality, and employee assistance referrals.

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## **10-2 SECURITY EDUCATION**

1. The ability of individuals to meet security responsibilities is proportional to the degree to which individuals understand what is required of them. Therefore, a key component of an effective continuous evaluation program is an effective security education program.

2. Personnel assigned to sensitive duties must receive indoctrination and orientation training on the national security implications of their duties and responsibilities. Along with understanding the prohibitions against improperly handling classified information, personnel must understand the continued trustworthiness expectations placed upon them. This is essential if individuals are to recognize and properly respond to security issues.

3. Annual refresher briefings are required. Commands must advise personnel of pertinent security requirements for the protection of classified information and must inform personnel of security standards required of all individuals who access classified information. The briefing must emphasize the avenues open to personnel should they require assistance or otherwise have difficulty or concerns in maintaining trustworthiness standards.

## **10-3 EMPLOYEES EDUCATION AND ASSISTANCE PROGRAM**

1. E.O. 12968 requires each commanding officer to establish a program for employees with access to classified information to educate employees about personnel security responsibilities and to inform employees about guidance and assistance programs available. The education and assistance program will address issues that may affect employee eligibility for access to classified information and will include assistance for employees who have questions or concerns about financial matters, mental health or substance abuse.

2. Commands should act to identify individuals with personal issues at an early stage and to guide them to programs designed to counsel and assist them. The goal is to assist individuals while there is still a reasonable chance of precluding a long term employment or security clearance-related issue.

## **10-4 PERFORMANCE EVALUATION SYSTEM**

1. For original classification authorities, security managers, security specialists and all other personnel whose duties

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significantly involve the creating, handling, or management of classified information, E.O. 12958 requires that the performance contract or rating system will include the management of classified information as a critical element or item to be evaluated. Guidelines on performance management are published by the Office of the Deputy Assistant Secretary of the Navy (Civilian Personnel/Equal Employment Opportunity (ODASN(CP/EEO)) Code DP2). Questions may be addressed to the local Human Resources Office or the ODASN(CP/EEO) Code DP2.

2. In addition, supervisors will comment on the continued security clearance eligibility of subordinates who have access to classified information in conjunction with regularly scheduled performance appraisals. To accomplish this requirement, commands may instruct supervisors to comment in writing, or to include statements on performance appraisal forms and/or separate correspondence addressed to security officials. The intent is to encourage supervisors to refer security concerns as soon as they become apparent, to provide supervisors an opportunity to annually assess their employees regarding continued eligibility to access classified information and for supervisors to be accountable for fulfilling their responsibilities.

#### 10-5 COMMAND REPORTS OF LOCALLY DEVELOPED UNFAVORABLE INFORMATION

1. When questionable or unfavorable information, as identified in appendix F, becomes available concerning an individual who has been granted access to classified information or assigned to sensitive duties, commands will report that information to the DON CAF. Commands should report all information which meets the appendix F standards without attempting to apply or consider any mitigating factors that may exist.

2. When reporting unfavorable information commands are encouraged to use the check list at exhibit 10A, to ensure that the DON CAF has sufficient information upon which to base a determination.

3. If the command determines that the developed information is significant enough to require a suspension of the individual's access for cause, the suspension action must be accomplished in accordance with paragraph 9-18. When suspending SCI access, reference (c) procedures apply.

4. A command report of suspension of access for cause will automatically result in the suspension of the individual's clearance eligibility by the DON CAF.

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a. Once clearance eligibility is suspended (or the individual is debriefed from SCI access for cause), the individual may not be granted access (or considered for reindoctration into SCI access) until clearance eligibility has been reestablished by the DON CAF.

b. In cases where unfavorable information was developed at the local command and subsequently resolved by local investigation or inquiry, commands must notify the DON CAF of the inquiry results. Commands may request temporary clearance eligibility. Temporary clearance eligibility authorization will be at the DON CAF discretion and is usually only possible if the local inquiry developed the necessary mitigation and there are no other unresolved security issues or other related pending inquiries or investigation.

5. The DON CAF will evaluate and adjudicate all reported information and promptly notify commands of the determination regarding the individual's continued eligibility for access to classified information (including SCI access) and/or assignment to sensitive duties.

6. If the reported information is incomplete or too limited to allow adjudication, the DON CAF may either request additional information from the command or they may request that the command forward the necessary investigative request forms to the DON CAF in order to open an investigation at DSS to resolve outstanding or missing information.

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## EXHIBIT 10A

## CONTINUOUS EVALUATION CHECK SHEET

1. When questionable or unfavorable information becomes available concerning an individual who has been granted access to classified information or assigned to sensitive duties, commands will report that information to the Department of the Navy Central Adjudication Facility (DON CAF). Commands should report all information without attempting to apply or consider any mitigating factors that may exist. The command report must be as detailed as possible and should include all available information pertinent to the DON CAF determination.

2. The following security issues must be reported to the DON CAF:

a. Involvement in activities or sympathetic association with persons which/who unlawfully practice or advocate the overthrow or alteration of the United States Government by unconstitutional means.

b. Foreign influence concerns/close personal association with foreign nationals or nations.

c. Foreign citizenship (dual citizenship) or foreign monetary interests.

d. Sexual behavior that is criminal or reflects a lack of judgement or discretion.

e. Conduct involving questionable judgement, untrustworthiness, unreliability or unwillingness to comply with rules and regulations, or unwillingness to cooperate with security clearance processing.

f. Unexplained affluence or excessive indebtedness.

g. Alcohol abuse.

h. Illegal or improper drug use/involvement.

i. Apparent mental, emotional or personality disorder(s).

j. Criminal conduct.

k. Noncompliance with security requirements.

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1. Engagement in outside activities which could cause a conflict of interest.

m. Misuse of Information Technology Systems.

3. When reporting information to the DON CAF, the following pertinent details about each issue should be provided (when the detailed information is available to the command):

a. Nature and seriousness of the conduct.

b. Circumstances surrounding the conduct.

c. The frequency and recency of the conduct.

d. The age of the individual at the time of the conduct.

e. The voluntariness or willfulness of the individual's participation or conduct.

f. The knowledge the individual had of the consequences involved.

g. The motivation for the conduct.

h. How the command became aware of the information.

i. Actions the individual has taken to correct the issue, including medical treatment, counseling, lifestyle changes, or other corrective actions.

j. The stability of the individual's lifestyle or work performance, including demonstrative examples.

k. Cooperation on the part of the individual in following medical or legal advice or assisting in command efforts to resolve the security issue.

4. The DON CAF will evaluate the command report. If the DON CAF review determines that the reported information is not adequate or detailed enough to make a determination, the DON CAF will direct the reporting command to have the individual in question complete an investigative request package. DSS will conduct a Special Investigative Inquiry (SII) to gather the necessary information. The SII results will be returned to the DON CAF for adjudication.